

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America )

v. )

Jason O'Bryan Mackey )

Case No: 3:96CR114-2

USM No: 12628-058

Date of Previous Judgment: 6/2/97

Tanzania Chevon Cannon-Eckerle

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 175 months **is reduced to** Time served plus 10 days.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 35

Amended Offense Level: 33

Criminal History Category: VI

Criminal History Category: VI

Previous Guideline Range: 292 to 365 months

Amended Guideline Range: 240 to 293 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

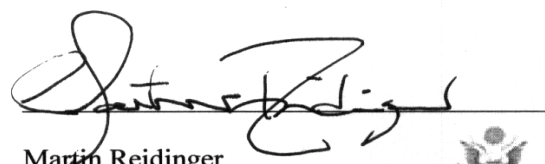
### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 6/2/97 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: May 27, 2008

Effective Date: \_\_\_\_\_  
(if different from order date)

  
Martin Reidinger  
United States District Judge

